

REMARKS

The Communication mailed January 9, 2003 states that the reply filed on October 28, 2002 is not fully responsive to the prior Office Action because it does not specifically argue why newly added claims 31, 34-40, and 43-44 are patentable over the cited references, as required by 37 CFR §1.111. The references cited in the Office Action are U.S. Patent No. 6,078,572 (Tanno) and U.S. Patent No. 6,240,083 (Wright). Applicants now present the following arguments for the patentability of claims 31, 34-40, and 43-44. Claims 31, 32, 40, and 41 have been amended to correct grammatical errors.

Independent claims 31 and 40, as amended, recite the steps of determining whether the code synchronization of the data packet is acquired based on the state information, allowing the terminal to transmit the data packet in the same time slot as the data packet of which the code synchronization is acquired if the code synchronization of the data packet is acquired, and allowing the terminal to stop transmission of the data packets if the code synchronization of the data packet is not acquired. As stated in the second full paragraph on page 15 of the reply filed on October 28, 2002, Tanno discloses the designation of transmission timing only to avoid collision of packets (col. 6, line 66). Accordingly, Tanno fails to disclose "allowing the terminal to transmit the data packet in the same time slot as the data packet of which the code synchronization is acquired if the code synchronization of the data packet is acquired, and allowing the terminal to stop transmission of the data packets if the code synchronization of the data packet is not acquired", as recited in independent claims 31 and 40.

Wright discloses a transmission including a 6 bit synchronization sequence. However, as stated in the second full paragraph on page 15 in the reply filed October 28,

2002, there is no teaching or suggestion for "allowing the terminal to transmit the data packet in the same time slot as the data packet of which the code synchronization is acquired if the code synchronization of the data packet is acquired, and allowing the terminal to stop transmission of the data packets if the code synchronization of the data packet is not acquired", as recited in independent claims 31 and 40.

Accordingly, it is respectfully submitted that independent claims 31 and 40 are allowable over Tanno and Wright.

Independent claims 34 and 43 require a broadcast determination means for determining information representing that the code synchronization of the data packet is acquired, to be broadcasted to the terminals if the code synchronization of the data packet is acquired. As stated above, neither Tanno nor Wright disclose or suggest determining information representing that the code synchronization of the data packet is acquired, as recited in independent claims 34 and 43. As stated in lines 1-3 on page 15 of the reply filed on October 28, 2002, Tanno discloses that terminals merely receive a transmission timing and a spreading code (see col. 7, lines 48-51). Furthermore, as discussed in the second full paragraph on page 15 of the reply filed October 28, 2002, the 6-bit synchronization sequence disclosed by Wright also fails to teach or suggest code synchronization detection or cause terminals to recognize code synchronization detection, i.e., Wright fails to disclose "means for determining information representing that the code synchronization of the data packet is acquired", as recited in independent claims 34 and 43. Accordingly, it is respectfully submitted that independent claims 34 and 43 are allowable over Tanno and Wright.

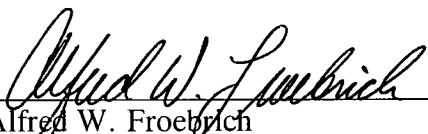
Dependent claims 35-39 and 44, being dependent on independent claims 34 and 43, respectively, are allowable for at least the same reasons as independent claims 34 and 43.

In view of the above arguments and the arguments presented in the reply filed on October 28, 2002, the application is now deemed to be in condition for allowance and notice to the effect is earnestly solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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AMENDMENTS TO THE SPECIFICATION AND CLAIMS SHOWING CHANGES

In the Claims:

Amend claims 31, 32, 40, and 41 as follows:

31. (Amended) An apparatus for transmitting a data packet to a base station in a code division multiple access (CDMA) telecommunication system wherein a plurality of terminals randomly access to a reverse common channel, comprising:

means for receiving state information broadcasted from the base station, the state information representing that a code synchronization of the data packet is acquired in the base station, wherein a code synchronization detection is performed based on a preamble of the data packet transmitted from the terminals through the reverse common channel; and

data transmission determination means for determining whether the code synchronization of the data packet is acquired or not based on the state information, allowing the terminal to transmit the data packet in the same time slot as the data packet of which the code synchronization is acquired if the code synchronization of the data packet is acquired [transmitted from the terminal], and allowing the terminal to stop [to transmit] transmission of the data packets[,] if the code synchronization of the data packet is not acquired.

32. (Amended) A terminal for transmitting a data packet to a base station in a code division multiple access (CDMA) telecommunication system wherein a plurality of terminals randomly access to a reverse common channel, comprising:

a data generator for generating data packets to be transmitted to the base station;

a data transmitter for transmitting the data packets generated in said data generator;

a terminal RF signal processor for converting the data packets from said data transmitter into a radio frequency (RF) signal and for processing an RF signal received from the base station;

a broadcast signal receiver for receiving a broadcast signal from said terminal RF signal processor, the broadcast signal representing that a code synchronization of the data packet is acquired in the base station, wherein a code synchronization detection is performed based on a preamble of the data packet transmitted from the terminals through the reverse common channel; and

data transmission determination circuit for determining whether the code synchronization of the data packet is acquired or not based on the broadcast signal, allowing the data transmitter to continue to transmit the data packet if the code synchronization of the data packet is acquired [transmitted from the terminal], and allowing the data transmitter to stop [to transmit] transmission of the data packets[,] if the code synchronization of the data packet is not acquired.

40. (Amended) A method for transmitting a data packet to a base station in a code division multiple access (CDMA) telecommunication system wherein a plurality of terminals randomly access to a reverse common channel, comprising the steps of:

a) receiving state information broadcasted from the base station, the state information representing that a code synchronization of the data packet is acquired in the base station, wherein a code synchronization detection is performed based on a preamble of the data packet transmitted from the terminals through the reverse common channel; and

b) determining whether the code synchronization of the data packet is acquired or not based on the state information, allowing the terminal to transmit the data packet in the same time

slot as the data packet of which the code synchronization is acquired if the code synchronization of the data packet is acquired [transmitted from the terminal], and allowing the terminal to stop [to transmit] transmission of the data packets[,] if the code synchronization of the data packet is not acquired.

41. (Amended) A method for transmitting a data packet to a base station in a code division multiple access (CDMA) telecommunication system wherein a plurality of terminals randomly access to a reverse common channel, comprising the steps of:

- a) at a data generator, generating data packets to be transmitted to the base station;
- b) at a data transmitter, transmitting the data packets generated in the data generator;
- c) at a terminal RF signal processor, converting the data packets into a radio frequency (RF) signal and for processing an RF signal received from the base station;
- d) at a broadcast signal receiver, receiving a broadcast signal from said terminal RF signal processor, the broadcast signal representing that a code synchronization of the data packet is acquired in the base station, wherein a code synchronization detection is performed based on a preamble of the data packet transmitted from the terminals through the reverse common channel; and

- e) at data transmission determination means, determining whether the code synchronization of the data packet is acquired or not based on the broadcast signal, allowing the data transmitter to continue to transmit the data packet if the code synchronization of the data packet is acquired [transmitted from the terminal], and allowing the data transmitter to stop [to transmit] transmission of the data packets[,] if the code synchronization of the data packet is not acquired.